THE WOODLANDS TOWNSHIP BOARD OF DIRECTORS WORKSHOP MEETING JANUARY 19, 2012 MINUTES

THE STATE OF TEXAS § COUNTIES OF HARRIS & MONTGOMERY §

The Board of Directors of The Woodlands Township met in a workshop session, open to the public, on January 19, 2012, posted to begin at 7:30 a.m. The workshop was held at the office of The Woodlands Township, Town Hall, 2801 Technology Forest Boulevard, The Woodlands, Texas, within the boundaries of The Woodlands Township.

DIRECTORS PRESENT: Chairman Bruce Tough, Vice Chairman Lloyd Matthews, Secretary Claude

Hunter, Director Nelda Blair, Director Tom Campbell, and Director Peggy

Hausman

DIRECTORS ABSENT: Treasurer Ed Robb

STAFF/ADVISORS: Don Norrell, President/General Manager; John Powers, Assistant General

Manager Community Services, Monique Sharp, Assistant General Manager of Finance & Administration, Alan Benson, Woodlands Fire Chief, Susan Welbes, Director of Human Resources, Nick Wolda, Director of Community Relations/CVB President, Karen Dempsey, Management Analyst, Mary Connell, Manager of Community Relations, Mike Page and Bret Strong, Legal

Counsel

Item #1-Pledge of Allegiance;

Director Campbell led the Pledge of Allegiance to the United States flag and Texas State flag.

item #2-Call to Order;

Chairman Tough called the workshop session to order at 7:30 a.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouse of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 2801 Technology Forest Boulevard, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

Item #3-Consider and act upon adoption of the meeting agenda;

Chairman Tough requested that Agenda Item #13, under the Potential Regular Agenda, be presented before the Consent Agenda items.

MOTION: Motion by Secretary Hunter, second by Director Campbell to adopt the agenda with the above

change.

Aves: Chairman Tough

Vice Chairman Matthews

Secretary Hunter
Director Blair
Director Campbell
Director Hausman

Navs: None

Abstentions: None

Absent: Treasurer Robb

ACTION: Motion passed unanimously.

Item #4-Recognize Public Officials;

- <u>Joel Deretchin</u>-former President of The Woodlands Commercial Owners Association and Woodlands Community Association
- Steve Leakey-President, Alden Bridge Village Association
- Amy Lecocq-President, Indian Springs Village Association

Item #5-Public Comment;

The following people addressed the Board:

- <u>Steve Leakey</u>-38 Courtland Green; comments regarding road noise (requested to speak during presentation of agenda item #8);
- <u>Bryan Butler</u>-11801 Grogan's Mill Rd.; comments regarding Sawmill Park renovations, primarily regarding split cost between First Baptist Church and the Township for a parking lot; accompanying Mr. Butler were Don Roose and Jaye Thompson

Note: The following agenda item was taken out of order.

Item #13-Receive, consider and act upon authorizing a Guaranteed Maximum Price (GMP) with Durotech for Central Fire Station;

Chief Alan Benson provided background information on this item. Following Chief Benson's comments, Carl Joiner, President of Joiner Partnership, Inc., was called on to make a presentation. Mr. Joiner provided handout material regarding a proposal received from Durotech Construction on the Central Fire Station Project. The Board was informed that Durotech Construction presented a total GMP of \$6,665,000, which was within the budgeted amount of \$6,675,000 for construction of the new Central Fire Station. Mr. Joiner explained that two add Alternates were priced, but that Alternate 1 for future expansion build-out, in the amount of \$53,600, did not fall within the budget. Alternate 2 for a monument water and gas feature, in the amount of \$7,960, did fall within the budget.

Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Regular Agenda.

DISCUSS POTENTIAL CONSENT AGENDA:

(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)

Item #6-Receive and consider the potential Consent Agenda:

a) Receive, consider and act upon approval of the minutes of the December 14, 2011 Special Board Meeting of the Board of Directors of The Woodlands Township;

Chairman Tough asked the Board to review the minutes. There were no corrections to the minutes. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

b) Receive, consider and act upon approval of the 2012 boat rental fees and operating schedule for Riva Row Boat House and rental fees and operating schedule for the Recreation Center:

John Powers presented this item and recommended that the Board adopt the 2012 boat rental fees and operating schedule for Riva Row Boat House and rental fees and operating schedule for The Woodlands Township Recreation Center as presented. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

c) Receive, consider and act upon approval of the 2012 aquatics fees and operating schedule of the community pools;

John Powers presented this item and recommended that the Board adopt the 2012 Pool Schedule and Pool Fee schedule as presented. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

d) Receive, consider and act upon a Service Agreement with the Panther Creek Village Association for the Flea Market;

John Powers presented this item and recommended that the Board take no action allowing the Service Agreement with the Panther Creek Village Association to continue. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

e) Receive, consider and act upon adoption of an Order Establishing a Records Management Program and Designating a Records Management Officer:

Monique Sharp presented this item and recommended that the Board adopt the Order as presented and repeal all prior Orders. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

f) Receive, consider and act upon approving and authorizing execution of a Joint Election Agreement with Montgomery County, Texas and possibly other jurisdictions in Montgomery County, Texas;

Mike Page presented this item and recommended that the Board authorize the President/General Manager to approve the agreement upon receipt if there are no substantive changes from last year and

the cost to the Township is not substantially higher than last year. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

g) Receive, consider and act upon authorizing execution of an Election Services Agreement with Montgomery County, Texas;

Mike Page presented this item and recommended that the Board authorize the President/General Manager to approve the agreement upon receipt if there are no substantive changes from last year and the cost to the Township is not substantially higher than last year. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

h) Receive, consider and act upon approving and authorizing execution of an agreement with Premier Election Systems for lease of direct recording electronic voting machines;

Mike Page presented this item and recommended that the Board authorize the President/General Manager to lease the necessary voting equipment on the terms quoted. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

i) Receive, consider and act upon authorizing preparation and submission of changes in election procedures to the Attorney General of the United States, in accordance with Section 5 of the Voting Rights Act of 1965, as amended;

Mike Page presented this item and recommended that the Board authorize the Township's attorneys to make the necessary submission. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

j) Receive, consider and act upon Village Association Service Agreements;

Karen Dempsey presented this item and recommended that the Board approve Service Agreements between the Village Associations and The Woodlands Township and authorize the President/General Manager to sign the agreements in connection therewith. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

k) Receive, consider and act upon award of bid for Concession Stand Operations at Bear Branch Park, Alden Bridge Sports Park, Rob Fleming Aquatic Center and selected programs;

John Powers presented this item and recommended that the Board accept the following bids and authorize the President/General Manager to execute a 22 month Concession Agreement (through December 31, 2013) for the following:

- Alden Bridge Sports Park from "Wahoo's" in the amount of \$5,000 per year to provide concession services at this location;
- Bear Branch Park from "Wahoo's" in the amount of \$2,500 per year to provide concession services at this location;
- Rob Fleming Aquatics Center from "Your Chef's Kitchen" in the amount of \$19,500 per year to provide concession services at this location; and
- Selected programs concessions from "Chick-Fil-A" in the amount of \$2,001 per year to provide concession services at the selected programs.

Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

i) Receive, consider and act upon purchase of Tahoe vehicles for Montgomery County Sheriff's Office;

John Powers presented this item and recommended that the Board authorize the acquisition of 22 fully-equipped Chevrolet Tahoe vehicles for patrol purposes in accordance with the 2012 approved budget and the 2012 Law Enforcement Agreement. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Consent Agenda.

Note: The following agenda items were taken out of order.

Item #17-Receive, consider and act upon award of bids for Sawmill Park;

John Powers presented background information on this item. Following Mr. Powers comments, Jim Wendt, Director of Planning for LJA Engineering, Inc., was called on to make a presentation. Mr. Wendt informed the Board that three bids were received for the Sawmill Park project and that all of the contractors had met the bidding requirements. A bid summary, including a base bid and several add alternates, was then reviewed. Mr. Wendt also presented various options for the Board's consideration. Board discussion followed. Staff was asked to include certain add alternates, one being shared funding with First Baptist Church of The Woodlands for a parking lot. The Board also directed staff to identify possible funding sources for the project. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Regular Agenda.

Item #14- Receive, consider and act upon approval of fire apparatus purchase;

It was the decision of the Board to remove this item from the Regular Agenda and place it on the Consent Agenda for the January 25, 2012 regular Board meeting.

Item #9- Receive and consider a presentation on placement of public art;

Nick Wolda provided background information on this item. Following Mr. Wolda's comments, Dan Leverett and Robert Heineman with The Woodlands Development Company were introduced. Mr. Leverett provided additional information regarding the public art program in The Woodlands that was established by George and Cynthia Mitchell. Board discussion followed. This item was for information sharing only.

Item #16-Receive, consider and act upon presentations and approval of the 2012 Parks and Recreation Capital Improvement Projects, approve 2012 budget amendment in connection with 2011 capital project carryovers, and authorize the President/General manager to approve progress payments, invoices, draws and reimbursements in connection therewith;

John Powers presented this item and recommended that the Board approve the 2012 Parks and Recreation Capital Projects schedules and budgets as submitted and authorize the President/General Manager to approve all invoices, progress payments, draws and reimbursements provided the amounts are within the approved budgets and the projects are within their scope as presented. Any material deviation from the approved budget or scope will require approval by the Board of Directors. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Regular Agenda.

BRIEFING ITEMS:

<u>Item #7-Receive and consider a presentation regarding recreational facilities development-sports</u> fields;

John Powers provided background information on this item and then called on Chris Nunes, Director of Parks and Recreation for The Woodlands Township, to make a presentation. Mr. Nunes provided a detailed review and analysis of three approaches to build sports fields in The Woodlands. The following areas were discussed:

- 1. <u>Sport Complex Development</u>-four sites have been identified that could be considered for development into sport complexes;
- Add Lights to Existing Fields-lighting existing fields could potentially increase field capacity and costs are low per field;
- Replace sports field grass with artificial turf-can provide considerable savings in the use and cost of water.

Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Regular Agenda.

<u>Item #8-Receive and consider a presentation on urban speed limit requirements and other possible road noise mitigation matters;</u>

Miles McKinney presented a PowerPoint presentation on Urban District road designation and state requirements for setting speed limits on these roads. Board discussion followed. Staff was asked to determine the feasibility of conducting noise studies and to provide an update to the Board regarding any responses received from County Commissioners Doyle and Chance. Mr. McKinney added that the Village Associations of Sterling Ridge and Alden Bridge had adopted resolutions requesting that the Township intercede with the Texas Department of Transportation (TxDOT) by writing a letter to TxDOT supporting the Village Associations' resolutions.

<u>Public Comment:</u> Steve Leakey, President of Alden Bridge Village Association, provided clarification to the Board that the Village Associations have requested that TxDOT only evaluate and implement practical sound mitigation measures regarding FM 2978.

<u>Item #10-Receive and consider a presentation of a quarterly update from The Woodlands</u> <u>Convention and Visitors Bureau;</u>

It was the decision of the Board to receive this item at the January 25, 2012 regular Board meeting under Briefing Items.

Note: The Board recessed at 10:37 a.m. for a short break and then reconvened in Public Session at 10:50 a.m.

Item #11-Receive and consider a presentation of a proposal for a 2012 Resident Survey;

Nick Wolda presented this item and recommended that the Board approve having staff post a Request for Proposal to select a resident survey consultant. Board discussion followed. It was the decision of the Board to bring this item forward to the January 25, 2012 regular Board meeting for consideration and action under the Regular Agenda.

Item #12-Receive and consider a drought response presentation for The Woodlands Township;

John Powers presented this item and recommended that the Board continue to remove hazard trees in the prescribed manner established in November 2011 and defer any budget amendment or reallocation of expenditures to fund 2012 tree removal, utility, and streetscape maintenance expenditures related to drought issues until staff can return to the Board with recommendations in February. Board discussion followed. It was the decision of the Board to place this item on the Regular Agenda for consideration and action at the January 25, 2012 regular Board meeting.

POTENTIAL REGULAR AGENDA

(This agenda consists of items that will be placed on the Regular Agenda at the next Board of Directors' meeting.)

<u>Item #15-Receive, consider and act upon an Order Calling Directors Election to be held on May 12, 2012 and determine procedure of giving notice of same;</u>

Mike Page presented this item. Mr. Page informed the Board that under a Supplemental Agenda for January 25, 2012, the Board will be asked to consider and act upon the following matters:

- Consider and act upon calling Directors Election to be held on May 12, 2012, and determine procedure for giving notice of same, and the adoption of an order in connection therewith;
- Consider and act upon appointment of an agent for the Township in connection with the Directors Election; and
- Consider and act upon compensation to be paid to election officials.

Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting under a Supplemental Agenda.

Item #18-Receive, consider and act upon disposition of surplus property;

Monique Sharp presented this item and recommended that the Board authorize the disposal of surplus property as presented. Board discussion followed. It was the decision of the Board to remove this item from the Regular Agenda and place it on the Consent Agenda for the January 25, 2012 regular Board meeting.

<u>Item #19-Receive, consider and act upon joint funding for reforestation of Player Golf Course reserve;</u>

John Powers presented this item and recommended that the Board include SR81, Restricted Open Space Reserve (ROSR B) as an area for reforestation with plantings to be installed when the weather conditions are suitable as determined by the President/General Manager. Board discussion followed. It was the decision of the Board to remove this item from the Regular Agenda and place it on the Consent Agenda for the January 25, 2012 regular Board meeting.

Item #20-Receive, consider and act upon the 2012 Work Plan and Budget attachment to the Partners for Strategic Action (PSA) Professional Services Agreement for governance planning services;

Karen Dempsey presented this item and recommended that the Board approve The Woodlands Governance Process 2012 Work Plan and Budget and authorize the President/General Manager to execute the PSA contract attachment in connection therewith. Board discussion followed. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Regular Agenda.

<u>Item #21-Receive, consider and act upon a presentation by Partners for Strategic Action (PSA) on the results of the financial model;</u>

Curt Dunham, CEO of PSA and Project Manager, began by introducing Audra Koester Thomas, Senior Associate with PSA and the financial consultants Dan Guimond and Chris Leutzinger with Economic & Planning Systems, Inc. (EPS). Mr. Dunham then provided a brief overview of the governance process, discussed assumption changes and summarized the baseline results of the financial model. Board discussion followed. Following Board discussion, Chairman Tough asked Mr. Dunham to recommend Board action for next week. Mr. Dunham requested that the Board accept the results of the financial model, with the understanding that the Board could request stipulations if so desired, and authorize the consultants to proceed with the community outreach program. This item will be brought forward to the January 25, 2012 regular Board meeting for consideration and action under the Regular Agenda.

Note: Director Hausman left during discussion of the above item.

CLOSED MEETING (if applicable)

Item #22-Recess at 12:07 p.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matter pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney concerning pending litigation pursuant to §551.071, Texas Government Code;

Item #23-Reconvene in Public Session at 1:14 p.m.:

Chairman Tough announced that it was not necessary to take action at this time on items discussed during Executive Session.

Item #24-Administrative Reports:

Community Services: presented by John Powers

- 2011 Community Service Highlights noted
- Arbor Day to be held on Saturday, January 21 at Rob Fleming Park from 10 a.m. to 2 p.m.
- Waste Management delivering new 96 gallon recycling carts daily
- Results of America Recycles Day statistics
- Township is providing the WFD Emergency Training Center for a public meeting regarding a proposed Char Dham Temple for residents who live nearby the proposed site

Community Policing: presented by Marian Leck

- Harris County reported thirteen burglaries of motor vehicles; ten vehicles were unlocked
- Harris County reported nine arrests over the past month on burglary of motor vehicles
- 35% decrease reported for crimes against property

 "Meet the Township" Day will be held on Saturday, January 28, 2012 from 9 until noon; building dedication and tours to take place

Item #25-Consideration of items to be placed on the agenda for next month's meeting;

Director Hunter would like additional information on the FM 2978 project

Item #26-Board announcements;

Overview of "Meet the Township" Day activities

Item #27-Public comment; and

There was no public comment.

Item #28-Adjournment

MOTION: Motion by Secretary Hunter, second by Director Blair to adjourn the meeting at 1:29 p.m.

<u>VOTE:</u>

Ayes: Chairman Tough

Vice Chairman Matthews

Secretary Hunter Treasurer Robb Director Blair Director Campbell

Nays: None

Abstentions: None

Absent: Treasurer Robb; Director Hausman

None

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ACTION: Motion passed unanimously.

Claude Hunter

Secretary, Board of Director